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**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

LAURA LEIGH, individually, and WILD
HORSE EDUCATION, a non-profit
corporation,

Plaintiffs,

v.

UNITED STATES DEPARTMENT OF
INTERIOR, BUREAU OF LAND
MANAGEMENT, TRACY STONE-
MANNING, Director of the Bureau of Land
Management, and JON RABY, Nevada State
Director of the Bureau of Land Management,

Federal Defendants.

CASE NO. 3:23-cv-00568-ART-CSD

**AMENDED DECLARATION OF
LAURA LEIGH INDIVIDUALLY AND
ON BEHALF OF WILD HORSE
EDUCATION**

1 I, Laura Leigh, hereby declare and state:

2 1. The facts contained in this declaration are known personally to me and, if called
3 as a witness, I could and would testify competently thereto under oath.

4 **A. Standing**

5 2. I am a U.S. citizen residing in the State of Nevada.

6 3. I am the founder and current President of the non-profit organization Wild Horse
7 Education (WHE), which has its principal place of business at 216 Lemmon Drive, #316, Reno,
8 NV 89506. In addition, I am an active member and supporter of WHE.

9 4. WHE is a national nonprofit corporation dedicated to research, journalism, and
10 public education concerning the activities and operations of federal and state management of the
11 free roaming horse and wild burro populations.

12 5. The mission of WHE is to protect and preserve wild horses and burros on range,
13 during and after capture. WHE works to do so in multiple ways. First, WHE provides
14 information and education to the public about the current situation with American wild horses
15 and burros and the issues surrounding public land management and wild horses. In this, WHE
16 aims to remove the curtain that veils governmental activities against wild horses from the public
17 eye in order to advance wild horse advocacy and support. Second, WHE also aims to facilitate
18 public awareness and participation in wild horse issues, such as in comments on proposed
19 agency actions. Third, WHE also advocates for the creation of a sane, scientifically-based
20 management strategy for these animals in the wild. Fourth, WHE promotes public adoptions of
21 formerly wild horses and supports those who adopt them for rescue and sanctuary. WHE has,
22 since its founding, advocated for enforceable welfare rules for management from range, through
23 capture and into holding.

1 6. WHE frequently submits comments during the NEPA process on BLM proposed
2 plans, including but not limited to Environmental Assessments (EAs). WHE has participated at
3 hearings made available for public comment on BLM proposed plans, too.

4 7. WHE has an interest in ensuring that wild free-roaming horses are treated as an
5 integral part of public lands, management activities are conducted at the minimal level feasible,
6 and management activities include development and consideration of land use plans and herd
7 management area plans.

8 8. WHE has more than 300,000 members and followers, with the majority of that
9 number being individuals across the United States, and educates and informs these members and
10 the American public about wild horses and burros through articles, photographs, videos, and
11 sharing data and other information. WHE's members and supporters regularly attend and observe
12 wild horse and burro roundups, removals, and holding pens.

13 9. It is WHE's standard practice to send trained members of WHE to observe wild
14 horse gathers conducted by the Bureau of Land Management (BLM) throughout the United
15 States. When observing gather operations, our members document the events by filming the
16 operations on video, capturing photographs, and writing written reports from the area designated
17 by BLM for public observers. It is also WHE's standard practice to make documentation of the
18 wild horse gathers and range data available to the public and to use this documentation to show
19 and support any concerns we have directly to the BLM.

20 10. Advocating for the wild horses in the Stone Cabin Complex is a past, present, and
21 future important issue for Wild Horse Education.

22 11. I, and other WHE members and supporters, have attended and observed past wild
23 horse roundups, removals, and holding pens in the Stone Cabin Complex. We have submitted
24 public comments on numerous proposed actions associated with the Stone Cabin Complex,
25 including for the Gather EA.

1 12. I, and other WHE members and supporters, visit the Stone Cabin Complex for
2 photography, observing wildlife, and other recreational and professional pursuits. We gain
3 aesthetic enjoyment from observing, attempting to observe, hearing, seeing evidence of, and
4 studying wild horses. The opportunity to possibly view wild horses, or signs of horses, in these
5 areas is of significant interest and value to us and increases our use and enjoyment of Nevada's
6 public lands. I, and other WHE members and supporters, have engaged in these activities in the
7 past and have specific plans to do so again in the future.

8 13. WHE members and supporters observe capture activities and monitor the herds of
9 Stone Cabin HMA and Saulsbury HMA. In the future, WHE intends to continue to have its
10 members and supporters attend and observe wild horse roundups, removals, and holding pens in
11 the Stone Cabin Complex

12 14. Over the past 15 years, I have visited, viewed, observed, and documented wild
13 horses in the Stone Cabin Complex. Many of WHE's members and supporters have similarly
14 engaged the wild horses in the Stone Cabin Complex. As a result, we have formed strong bonds
15 with the wild horses in the Stone Cabin Complex.

16 15. I experience great enjoyment from watching young foals born in the Complex
17 become curious and strong adult horses who then create their own families.

18 16. Because of our strong bond with the wild horses in the Stone Cabin Complex, it is
19 often very emotional to observe wild horses being gathered and captured from their homes in the
20 Complex. Both I and WHE's members and supporters experience great sadness when we observe
21 horses we have visited, observed, enjoyed, and known in the past, be rounded up and lose their
22 freedom. It is also very difficult to witness gathers in which the horses appear to be injured or in
23 distress, or in which horses are euthanized during the gather operation. This is especially true
24 when we know the individual horse or horses in question from time spent visiting, viewing, and
25 enjoying them in their wild.

1 17. I have grave concerns that the past, present, and future BLM actions with regards
2 to wild horses in the Stone Cabin Complex horses will adversely affect my ability to recreate and
3 enjoy, such as through visiting, observing, and photographing, the wild horses of these herds in
4 the future.

5 18. The further gathering and removal of wild horses in the Stone Cabin Complex due
6 to the challenged actions will adversely affect the substantial recreational, aesthetic, and
7 conservational interests of myself and other WHE members and supporters.

8 **B. Comments for the Stone Cabin Complex Gather EA**

9 19. I, as well as WHE members and supporters, actively participated in the public
10 commenting process of the Stone Cabin Complex Gather EA, which was finalized on April 11,
11 2023. In these comments, we addressed the need for HMAPs, rangeland health assessments,
12 appropriate consideration of cumulative effects, and re-evaluation of appropriate management
13 levels (AMLs) to eliminate outdated AMLs created for administrative convenience, and more.
14 We also noted that the adopted gather plan violates the immediacy requirement of the WHA. I
15 and WHE have, over the past 15 years, repeatedly asked BLM to provide information
16 substantiating AML in dozens of complexes and HMAs, but BLM has been steadfast in its
17 refusal to provide such information. Instead, BLM simply refers to AML decisions that are not
18 accessible by the public.

19 20. By failing to rely upon (or create) any herd management area plans prior to
20 gathering horses in the Stone Cabin Complex and by failing to include monitoring data in the
21 Gather EA, WHE and I have had our right to comment impaired. As a result of these failings, we
22 have been prevented from submitting comments for actual consideration as necessary to address
23 whether or not horses should be gathered, such as comments to reduce livestock grazing for the
24 protection of wild horses or comments related to the *actual* condition of the range.

1 21. The further gathering and removal of wild horses in the Stone Cabin Complex due
2 to the challenged actions will adversely affect the substantial recreational, aesthetic, and
3 conservational interests of myself and other WHE members and supporters.

4 22. By failing to adhere to the procedural requirements of the WHA and NEPA, I and
5 WHE suffer injury to our aesthetic and procedural interests—interests that are recognized under
6 the WHA and NEPA as challenged by the Mandamus and Venue Act and APA.

7 **C. Herd Management Area Plans**

8 23. The Stone Cabin Complex contains the Stone Cabin Herd Management Area
9 (HMA) and Saulsbury HMA. I am aware that BLM has failed to create Herd Management Area
10 Plans (HMAPs) for the Saulsbury HMA and Stone Cabin Complex. An HMAP was created for
11 the Stone Cabin HMA in 1983; however, BLM did not conform the Gather EA to this HMAP
12 nor has BLM updated the HMAP, as envisioned by adoption of the HMAP.

13 24. In 2016, I volunteered with BLM, and at this time, I began working on collecting
14 information and compiling data to create HMAPs in several HMAs including Stone Cabin.
15 During this work, I found no records to indicate that any of the studies mandated in the 1983
16 HMAP had ever been performed. In 2017, my volunteer position ended, and all associated work
17 related to updating the Stone Cabin HMA HMAP also ended. Between 2017 and 2023, I
18 repeatedly contacted the BLM Battle Mountain District Office to have work resumed on
19 updating the HMAP, but BLM did not respond to my requests. Ultimately, BLM decided not to
20 update the 1983 HMAP for the Stone Cabin HMA.

21 25. When creating HMAPs, BLM is supposed to provide the public with a
22 meaningful opportunity to participate. Had any HMAPs been created (or updated) for the Stone
23 Cabin Complex and its HMAs, I would have submitted comments during the appropriate scoping
24 period.

1 26. I and WHE were injured by the lack and unavailability of information that are
2 supposed to be evaluated and presented to the public when an HMAP is created.

3 27. Proving this point, when we commented on the Gather EA regarding subject
4 matter that would have been considered during the development of an HMAP, BLM responded
5 by stating that such comments were either outside the scope of the Gather EA and/or already
6 addressed by LUPs.

7 28. Had BLM prepared an HMAP for the Stone Cabin Complex and its HMAs,
8 however, I and WHE would have been able to raise concerns about the Stone Cabin Complex's
9 AMLs, livestock grazing and forage allocation, and herd-specific management actions.

10 29. Had BLM prepared an HMAP for the Stone Cabin Complex and its HMAs, I and
11 WHE would have gained information available through said HMAP and been able to use the
12 information to further our advocacy mission; namely, to spread information and awareness to the
13 public regarding wild horse and public lands issues.

14 30. The lack of an HMAP and the information it provides has caused WHE to divert
15 and expend resources in order to attempt to gather information ourselves. The creation of the
16 Gather EA without any HMAP has caused WHE to divert and expend resources in order to
17 address the EA's deficiencies.

18 **D. Exhaustion of Remedies**

19 31. On May 9, 2023, I and WHE timely appealed Defendants' approval of the Gather
20 EA to the United States Interior Board of Land Appeals and petitioned for an order staying the
21 decision.

22 32. On November 7, 2023, I and WHE voluntarily dismissed their appeal to the
23 United State Interior Board of Land Appeals to challenge Defendants' action with the complaint
24 in this action.

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1 I declare under penalty of perjury under the laws of the State of California that the
2 foregoing is true and correct. Executed this 16th day of December, 2024 in Battle Mountain,
3 Nevada.

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5 By: /s/ Laura Leigh
6 Laura Leigh
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CERTIFICATE OF SERVICE

I hereby certify that on December 17, 2024, I electronically filed the foregoing document with the Clerk of the Court using the CM/ECF system, which caused all parties or counsel of record to be served by electronic means, as more fully reflected on the Notice of Electronic Filing.

/s/ Jessica San Luis
Jessica San Luis